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Fax INTELLECTUAL PROPERTY LAW

To: U.S. Patent & Trademark Office From: Ronald E. Smith

Attn: Theodore J. Stigell, Art Unit: 3763 Client: 1193.02

Fax: (571) 273-8300 Pages: 12 including coversheet

Phone: (571) 272-8759 Date: February 1, 2006

Re: USSN: 10/708,745 CC:

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Stigell:

In response to the Notice of Non-Compliant Amendment mailed January 23, 2006, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated February 1, 2006 (2 pages);
- 2) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated February 1, 2006 (8 pages); and
- 3) A copy of the Notice of Non-Compliant Amendment (1 page).

Very respectfully,

Ronald E. Smith
 USPTO Reg. No. 28,761

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/708,745 Confirmation No.: 2744

Applicant: : Michael E. Nerney

Filed: : 03/23/2004

Art Unit : 3763

Examiner : Theodore J. Stigell

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Docket No. : 1193.02

Customer No. : 21901

For : Forward-Mounted Plunger Control for Retrofit
Attachment to an Existing Plunger

Transmitted to Central Fax at (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicants are independent inventors.

EXTENSION OF TERM

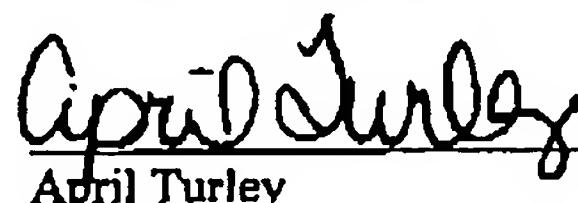
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment B, including Amendments to the Claims, a copy of the Notice of Non-Compliant Amendment, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Attn: Theodore J. Stigell, Art Unit 3763, (571) 273-8300, on February 1, 2006.

Dated: February 1, 2006


 April Turley

(Amendment Transmittal - Page 1 of 2)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

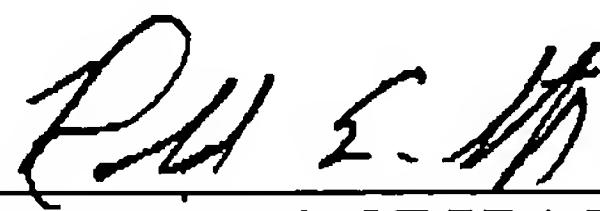
(Col. 1)		(Col. 2)		(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee		
Total 15.	Minus 25	= 0	x \$25 =	\$0		
Indep. 3	Minus 3	= 0	x \$100 =	\$0		
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
					Total Addit. Fee	\$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
- ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 28,761
Tel. No.: (727) 507-8558

Ronald E. Smith
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

(Amendment Transmittal - Page 2 of 2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/708,745
Applicant: : Michael E. Nerney
Filed: : 03/23/2004
TC/A.U. : 3763
Examiner : Theodore J. Stigell

Docket No. : 1193.02
Customer No. : 21901

Confirmation No.
2744

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Faxed to Technology Center 3700 at (571) 273-8300
Mail Stop Non-Fee Amendment
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT B

Introductory Comments

Sir:

In response to the Notice of Non-Compliant Amendment mailed 01/23/2006, having a shortened statutory period for response set to expire 02/23/2006, the above-identified patent application is amended a second time as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 8 of this paper.